IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3665 OF 2007

Trimbak Ganesh Kulkarni (deceased)
through his legal heirs
(a) Bhalchandra Trimbak Kulkarni ...Petitioner

Versus

Balwant Ganesh Kulkarni (since
deceased) Through legal heirs
(a) Bhaskar Balwant Kulkarni & Ors. ...Respondents

.....

Mr.Sandeep Katkade for Petitioner.

None for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

JULY 6, 2007.

P.C.

1. The impugned order being interlocutory and discretionary order passed by the Trial Court, no interference in exercise of writ jurisdiction is warranted.

2. Suffice it to observe that the amendment permitted by the Trial Court will obviously be without prejudice to the rights and contentions of

the rival parties including relief of limitation or maintainability, if any.

3. Petition disposed of on the above terms.

A.M.KHANWILKAR, J.